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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,362	07/23/2003	Pei Kan	38847-191328	7671
26694	7590*	02/07/2008		
VENABLE LLP P.O. BOX 34385 WASHINGTON, DC 20043-9998			EXAMINER SCHLIENTZ, NATHAN W	
			ART UNIT	PAPER NUMBER
			1616	
			MAIL DATE	DELIVERY MODE
			02/07/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/624,362

Applicant(s)

KAN ET AL.

Examiner

Nathan W. Schlientz

Art Unit

1616

All participants (applicant, applicant's representative, PTO personnel):

(1) Nathan W. Schlientz.

(3) Ashley Wells.

(2) Johann R. Richter.

(4) _____.

Date of Interview: 30 January 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 1, 7, 8 and 41.


Identification of prior art discussed: US 5,415,869 (Straubinger) and US 5,424,073 (Rahman).

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.


Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


JOHANN RICHTER
VISORY PATENT EXAMINER
GROUP 1200

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Attorney Wells discussed the recitation of "derivatives" of paclitaxel, retinoic acid, camptothecin and cholesterol. The examiner agreed that the objection to the specification and the rejection of claims 8-12, 15, 18-19, 26-30, 33 and 36-37 would be withdrawn in light of deleting the specifically recited derivatives. However, a 112, second paragraph, rejection would be made with respect to the recitation of derivatives in the claims.

Attorney Wells and examiners Schlientz and Richter discussed the 102(b) rejections of claims 1-9, 18, 19, 39 and 40 as being anticipated by Straubinger. In particular, the phase transition temperatures of the first and second phospholipids, as well as the drug delivery and drug storage temperatures was discussed.

It was agreed that claim 41, which limits the amount of hydrophobic substance to at least 20 mole% with at least about 70% incorporation efficiency at the 6th month, would be allowable over Straubinger in view of Rahman. However, it is noted that the 112, 2nd paragraph, rejection will be made over claim 41.